
By: **Delegate Dembrow**
Introduced and read first time: February 5, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Fleeing or Eluding a Police Officer - Penalties**

3 FOR the purpose of increasing certain penalties for fleeing or eluding a police officer;
4 and generally relating to penalties for fleeing or eluding a police officer.

5 BY repealing and reenacting, without amendments,
6 Article - Transportation
7 Section 21-904
8 Annotated Code of Maryland
9 (1999 Replacement Volume and 2000 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article - Transportation
12 Section 27-101(p)
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2000 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Transportation**

18 21-904.

19 (a) In this section "visual or audible signal" includes a signal by hand, voice,
20 emergency light or siren.

21 (b) If a police officer gives a visual or audible signal to stop and the police
22 officer is in uniform, prominently displaying the police officer's badge or other
23 insignia of office, a driver of a vehicle may not attempt to elude the police officer by
24 willfully failing to stop the driver's vehicle.

25 (c) If a police officer gives a visual or audible signal to stop and the police
26 officer is in uniform, prominently displaying the police officer's badge or other

1 insignia of office, a driver may not attempt to elude the police officer by fleeing on
2 foot.

3 (d) If a police officer gives a visual or audible signal to stop and the police
4 officer is in uniform, prominently displaying the police officer's badge or other
5 insignia of office, a driver may not attempt to elude the police officer by any other
6 means.

7 (e) If a police officer gives a visual or audible signal to stop and the police
8 officer, whether or not in uniform, is in a vehicle appropriately marked as an official
9 police vehicle, a driver of a vehicle may not attempt to elude the police officer by
10 willfully failing to stop the driver's vehicle.

11 (f) If a police officer gives a visual or audible signal to stop and the police
12 officer, whether or not in uniform, is in a vehicle appropriately marked as an official
13 police vehicle, a driver of a vehicle may not attempt to elude the police officer by
14 fleeing on foot.

15 (g) If a police officer gives a visual or audible signal to stop and the police
16 officer, whether or not in uniform, is in a vehicle appropriately marked as an official
17 police vehicle, a driver of a vehicle may not attempt to elude the police officer by any
18 other means.

19 27-101.

20 (p) (1) Except as provided in paragraphs (2) and (3) of this subsection, any
21 person who is convicted of a violation of any of the provisions of § 21-904 of this
22 article ("Fleeing or eluding police") is subject to:

23 (i) For a first offense, a fine of not more than \$1,000, or
24 imprisonment for not more than 1 year, or both; and

25 (ii) For any subsequent offense, a fine of not more than \$1,000, or
26 imprisonment for not more than 2 years, or both.

27 (2) Any person who is convicted of a violation of § 21-904(b) or (e) of this
28 article [that results in bodily injury to another person] is subject to a fine of not more
29 than \$5,000, or imprisonment for not more than [3] 5 years, or both.

30 (3) Any person who is convicted of a violation of § 21-904(b) or (e) of this
31 article that results in a BODILY INJURY OR death of another person is subject to a fine
32 of not more than \$5,000, or imprisonment for not more than 10 years, or both.

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2001.